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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,270	01/26/2004	Takuya Kotsuji	016907-1596	6450
22428 7590 12/23/2008 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007				
EXAMINER				
LEE, JOHN W				
ART UNIT		PAPER NUMBER		
2624				
MAIL DATE		DELIVERY MODE		
12/23/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/763,270

Applicant(s)

KOTSUJI, TAKUYA

Examiner

JOHN Wahnkyo LEE

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. The response received on 10 October 2008 has been placed in the file and was considered by the examiner. An action on the merits follows.

Response to Arguments.

2. Applicant's arguments filed 15 September 2008 have been fully considered but they are not persuasive.

The applicant argues that the prior art cited by the examiner do not disclose the claim limitations -"a code separation section which separates the image data encoded by the compression section into at least two separate encoded image data in accordance with a separation scheme set" and "a key information preparation section which generates information indicating the separation scheme set which represents the locations of the separate storage regions." It is true that the prior art has to disclose all the claim limitations, but the prior art does not have to disclose the claim limitations as it is arranged in the claims. The claims do not recite a language that the claim limitations has to follows the arrangements as an order. If the applicant disclosed any claim language that the claim limitation has to follow an order as it is arranged in the claims, the applicant might be right. However, there is no such a claim language like that. So, the examiner traverses that the prior have to disclose all the claim limitations in the claims, but not arranged as in the claims. Moreover, Shikakura's invention might not be exactly the same with the applicant's invention, but the examiner only reviews the claims by giving the broadest reasonable claim interpretation without reading the

specification on the claims. The examiner is confident that Shikakura is good enough to read on the claims. Therefore, the examiner will not withdraw the rejections of the claims. To make it clear, a detail rejection of the claims will be followed without new ground rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Shikakura et al. (US 5,717,705).

Regarding claim 1, Shikakura discloses an image processing apparatus (abstract, "an image processing apparatus"; Fig. 1) comprising: a compression processing section (Fig. 1-406, "block formation") which compresses and encodes image data (col. 5, line 37, "video signal") to form encoded image data (col. 5, lines 40-43, "blocks each ... of data"); a first storage section (Fig. 1-406, "block formation") which stores the encoded image data (col. 5, lines 40-43, "blocks each ... of data"); a code separation section (Fig. 1-407, "orthogonal transformation") which separates the image data encoded by the compression processing section (Fig. 1-406, "block formation") into at least two separated encoded image data in accordance with a separation scheme set (col. 5, lines 46-50, "DC" and "AC"), a second storage section (Figs. 1-408 and 409, "encode") including at least two separate storage regions for storing the

separated encoded image data (col. 5, lines 50-51, "These components are separately encoded by encoding circuits"), respectively; a key information preparation section (Fig. 1-413, "synch signal addition") which generates, as key information (col. 5, lines 60-65, "synch signal") which is being used to synthesize the separated encoded image data (col. 5, lines 46-50, "DC" and "AC") to reproduce the encoded image data (Fig. 2), information indicating location (Fig. 2; col. 6, lines 7-10, "the format of the encoded data is ... one synch block") of the separate storage regions of the second storage section (Figs. 1-408 and 409, "encode") in which the separated encoded image data are stored and information indicating the separation scheme set (col. 5, lines 46-50, "DC" and "AC"); a third storage section (Fig. 1-413, "synch signal addition") which stores the key information (col. 5, lines 60-65, "synch signal"), the third storage section being separated from the second storage section (Fig. 1-413, "synch signal addition"); a code synthesis section (Fig. 1-102, "separation") which synthesizes the separated encoded image data (Fig. 2; col. 5, lines 46-50, "DC" and "AC") stored in the second storage section (Figs. 1-408 and 409, "encode") for reproducing the encoded image data (col. 6, lines 5-10, "separated by a separation circuit into encoded data corresponding to the DC component and encoded data corresponding to the AC component"), in accordance with the key information (Fig. 1-413, "synch signal addition") stored in the third storage section (Fig. 1-413, "synch signal addition"); and an extension processing section (Figs. 1-103 and 104, "ECC decode") which extends the compressed and encoded image data synthesized by the code synthesis section (Fig. 1-102, "separation") to reproduce the image data (col. 6, line 14, "deliver the corrected data to decoding circuits").

Regarding claim 2, Shikakura discloses that the set separation scheme is to separate, the encoded data into direct-current and alternating- current components (Fig. 1-407, "orthogonal transformation"; col. 5, lines 46-50, "DC" and "AC").

Regarding claim 5, Shikakura discloses that the set separation scheme is to separate, the encoded data into data blocks (Fig. 1-406, "block formation" and 2, col. 5, lines 40-43).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shikakura et al. (US 5,717,705) in view of Matsumoto et al. (US 6,377,580).

Regarding claim 3, Shikakura discloses all the previous claim limitations except the claim limitation specified in claim 2. However, Matsumoto discloses a scanner (Fig. 1-111) which is composed of a Contact Sensor, an original feed mechanism and the like optically reads an original image to separate it into Red, Green and Blue, RGB components (col. 3, lines 50-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Matsumoto's apparatus in Shikakura's image processing

apparatus to improve efficiency as suggested by Matsumoto (col. 1, lines 55-56) and to provide a system that is compatible with commonly used image processing data.

Regarding claim 4, Matsumoto further discloses Cyan, Magenta, Yellow, and Black components as an input (col. 4, lines 3-12).

Regarding claim 6, Shikakura further discloses comprising an interface section to be connected to an external device to communicate therewith, said external device having a storage section in which the encoded data separated by the code separation section is stored, and in which the coded data storage control section stores the separated encoded data in the storage section and in the storage section of the external device, and the key information preparation section generates the key information including information that indicates a storage region in which the separated coded data is stored in the external device ("a transmission path that is in the form of a transmission medium for above-ground electric-wave or light spaces, such as an optical fiber, satellite or microwave guide, in the case of instantaneous transmission, and in the form of a storage medium including a tape-like medium such as a digital VTR or DAT, a disk-like medium such as a floppy disk or optical disk, and a solid state medium such as a semiconductor memory (col. 5, lines 28-35)").

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN Wahnkyo LEE whose telephone number is (571)272-9554. The examiner can normally be reached on Monday - Friday (Alt.) 7:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

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Customer Service Representative or access to the automated information system, call
800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jingge Wu/

Supervisory Patent Examiner, Art Unit 2624

/John Wahnkyo Lee/

Examiner, Art Unit 2624

